

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

OCT 30 2014

JAMES N. HANNON, Clerk
By: *[Signature]*
Deputy Clerk

Sherrie Hampton-Muhamed,)
Plaintiff,)
)
v.) Civil Action No. 1:13-CV-3659-CC-LTW
)
James B Nutter & Company, et al;)
Ronald R. Wolfe & Assocs, et al;)
DOES 1-20,)
Defendants)

AFFIDAVIT IN REBUTTAL of AFFIDAVIT FOR FRANCES E. HANNON
(Doc. 18-4, filed 8/15/14)

The State of Georgia)
) ss. *TO ALL TO WHOM THESE PRESENTS SHALL*
The County of Gwinnett) *COME*

PLEASE TAKE NOTICE, that **Sherrie Hampton-Muhamed**, your Affiant and the undersigned, with personal knowledge of matters set forth herein, one of the people of Georgia, in correct public capacity, being of majority in age, competent to testify with clean hands, without waiving any rights, remedies, or defenses declares, verifies and affirms that the facts stated herein are true, correct, and complete in all material fact, not misrepresented and made under the penalties of

perjury of the laws of the united States of America and the State of Georgia, except those statements of fact made upon information and belief, and as to those statements, the undersigned believes them to be true:

1. I am a consumer who has filed an amended complaint for Fair Debt Collection Practices Act and am disputing the debt in my amended complaint to curtail RRW's abusive debt collection practices and therefore dispute the following items in the affidavit:

2. Item # 2 states that Attorney Hannon files and prosecutes foreclosure actions in Florida for RRW. Attorney Hannon is acting in the capacity of a debt collector. Affiant's complaint is about Attorney Hannon's actions as a debt collector in relation to debt collection for an alleged debt affiant does not owe, in violation of FDCPA. The complaint is about violations of 15 USC 1692, *et seq* and has nothing to do with foreclosure. If this attorney attended a hearing, I would think he would be aware that they are attempting to collect a debt in Georgia.

3. Affiant disputes Item #5. Attorney Hannon actually did transact business in Georgia by taking debt collection action on affiants file in pursuit of debt collection. When Attorney Hannon reached across the Florida state line into Georgia, in attempt to collect a debt, even though the principle location of the alleged debt is in Missouri, he and RRW are in effect, in fact conducting business

in Georgia. RRW sent a process server to serve process upon affiant in Georgia. Attorney Hannon and other attorneys of RRW mailed to my address in Georgia continued communication in attempts to collect a debt. Attorney Hannon's actions at the hearing would make him even more liable for the transacted business in Georgia, since he represented RRW and all of their actions and interests at the hearings. Attorney Hannon's actions related to the hearing violated 15 USC 1692e by continuing with false and misleading information to the tribunal in attempts to collect a debt that was disputed and never validated.

4. Affiant disputes Item # 8 based on Item #5 because he did transact business on this case, as at the hearing. He was transacting business in Georgia and would have created a tortious injury. All of the evidence of the tort is in the case or will be presented later.

5. Affiant disputes Item # 9 based on response to Item #5. Attorney Hannon did business in Georgia. He was paid to act on behalf of the firm and the firm was making money on their deliberate actions in Georgia, then he would have derived revenue from the actions in Georgia. Until discovery, there is no way of knowing whether his action was persistent or consistent when he acted, until someone takes responsibility for the creation, execution and delivery of the documents.

6. Affiant disputes #12 since the Amended Complaint Attorney Hannon

reviewed was not about the prosecution of a foreclosure action, it was about Attorney Hannon's behavior and conduct in his attempts to collect a debt from affiant that is not affiant's responsibility. Attorney Hannon's actions also included the continued false and misleading information to the tribunal along with allowing the continued debt collection without validation.

7. Affiant disputes #13 as being so nonspecific that affiant would never know who did what and it appears that this is what was intended, so no one at RRW has to take responsibility for their violations of federal law. If Hannon handled foreclosure litigation he should be diligent enough to know he was collecting a debt from the wrong person before appearing before the judge at a hearing, otherwise jeopardize his own rules of professional conduct and misleading the court.

8. In dispute of Item #14 affiant states that any continued action on this file is debt collection in Georgia. In order to pursue the debt collection, Attorney Hannon had to reach into Georgia.

9. In dispute of Item # 15 if Attorney Hannon does not want to be subject to suit in Georgia, he should not have conducted business in Georgia or violated the law in Georgia.

Further, Affiant sayeth naught.

Dated this 29th day of October, 2014. Done under my hand and seal of my freewill act and deed.

By: Sherrie Hampton-Muhammed

Sherrie Hampton-Muhammed, Authorized Signatory for and Director of SHERRIE HAMPTON-MUHAMED, a Legal Person
4329 Donerail Drive
Snellville, Georgia [30039]

State of Georgia)

)ss.:

JURAT/ACKNOWLEDGMENT

County of Gwinnett)

On this 29 day of October, 2014, before me,

Howard F. Lowe, a Notary Public in and for the State of Georgia and County of Gwinnett, personally appeared **Sherrie**

Hampton-Muhammed, who proved to me on the basis of satisfactory evidence to be the living woman who attested and subscribed to the within above instrument, by the above-named party's unlimited commercial liability, as true, correct, complete and not misleading, and further proven that she is the woman subscribed to within this instrument.

Witness my hand and seal this 29 day of Oct, 2014.

Notary Public

My Commission Expires: 02/04/2018

